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RIGHT TO INFORMATION

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THE ANDHRA PRADESH GAZETTE

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PART I EXTRAORDINARY

No.749 AMARAVATI, FRIDAY, DECEMBER 31, 2021 **G.809**

NOTIFICATIONS BY GOVERNMENT

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CONSUMER AFFAIRS, FOOD & CIVIL SUPPLIES DEPARTMENT

(CS.II)

CP ACT, 2019 (CENTRAL ACT 35 OF 2019) CAME INTO FORCE w.e.f., 20-07-2020 - ISSUANCE OF CONSUMER PROTECTION (SALARY , ALLOWANCE AND CONDITIONS OF SERVICE OF PRESIDENT AND MEMBERS OF THE STATE COMMISSION AND DISTRICT COMMISSION RULES, 2020.

[G.O.Ms.No: 18, Consumer Affairs, Food & Civil Supplies (CS.II), 24th December, 2021.]

NOTIFICATION

In exercise of the powers conferred under proviso to sub-section (1) of section 102 of the Consumer Protection Act, 2019 (35 of 2019), the Government of Andhra Pradesh hereby makes the following rules, namely: -

1. Short title and commencement. —

(1) These rules may be called the Andhra Pradesh State Consumer Protection (Salary, allowances and conditions of service of President and Members of the State Commission and District Commission) Model Rules, 2020.

(2) They shall come into force on the 20th July, 2020.

2. Definitions. --- (1) In these rules, unless the context otherwise requires, —

(a) 'Act' means the Consumer Protection Act, 2019 (35 of 2019);

(b) 'Member' means a Member of the District Commission or the State Commission, as the case may be;

(c) 'President' means the President of the District Commission or the State Commission, as the case may be;

(d) 'State Government' includes an administrator of a Union territory appointed under article 239 of the Constitution except in rule 13. (2) The words and expressions used herein and not defined and defined in the Act shall have the same meaning respectively assigned to them in the Act.

3. Salaries and allowances payable to President and members of District Commission. – (1) The President shall be entitled to the salary and allowances as are admissible to a District Judge in the super time scale of pay.

(2) A Member shall receive a pay equal to the pay at the minimum of the scale of pay of a Deputy Secretary of the State Government and other allowances as admissible to such officer.

(3) The pay of a person appointed as President or member, who is in receipt of any pension, shall be reduced by the gross amount of pension drawn by him.

(4) There shall be an annual upward revision of the pay of the President and member at the rate of 3%.

4. Salaries and allowances payable to President and members of the State Commission.--- (1) President of the State Commission shall receive the salary and other allowances as are admissible to a sitting judge of the High Court of the State.

(2) A Member of the State Commission shall receive a pay equivalent to the pay at minimum of the scale of pay of an Additional Secretary of the State Government and other allowances as are admissible to such officer.

(3) The pay of a person appointed as President or member, who is in receipt of any pension, shall be reduced by the gross amount of pension drawn by him.

(4) There shall be an annual upward revision of the pay of a member at the rate of 3%.

5. Medical fitness.—No person shall be appointed as President or Member unless he is declared medically fit by an authority specified by the State Government in this behalf.

6. Casual vacancy.— In case of a casual vacancy in the office of President in the State Commission or District Commission, as the case may be, the State Government shall have the power to appoint the senior most Member to officiate as President.

7. House rent allowance.—The President or member shall be entitled to house rent allowance at the same rate as are admissible to Group 'A' Officer of the State Government of a corresponding status.

8. Transport allowance.—The President or member shall be entitled to transport allowance at the same rate as are admissible to Group 'A' Officer of the State Government of a corresponding status.

9. Leave and medical treatment and hospital facilities.—The President and members of the State Commission and the District Commission shall be entitled to leave, Leave Travel Concession, medical treatment and hospital facilities as per the provisions applicable to Group A Government servants in the State Government.

10. Declaration of Financial and other Interests.—The President or member shall, before entering upon his office, declare his assets, and his liabilities and financial and other interests.

11. Other conditions of service.—(1) The terms and conditions of service of the President or member with respect to which no express provision has been made in these rules, shall be such as are admissible to a Group 'A' Officer of the State Government of a corresponding status.

(2) The President or member shall not practice before the National Commission, the State Commission or the District Commission after retirement from the service of the State Commission or the District Commission, as the case may be.

(3) The President or member shall not undertake any arbitration work while functioning in these capacities in the State Commission or the District Commission, as the case may be.

(4) The President or member of the State Commission or the District Commission, as the case may be, shall not, for a period of two years from the date on which they cease to hold office, accept any employment in, or connected with the management or administration of, any person who has been a party to a proceeding before the State Commission or the District Commission:

Provided that nothing contained in this rule shall apply to any employment under the Central Government or a State Government or a local authority or in any statutory authority or any corporation established by or under any Central, State or Provincial Act or a Government company as defined in clause (45) of section 2 of the Companies Act, 2013 (18 of 2013).

12. Oaths of office and secrecy.—Every person appointed to be the President or member shall, before entering upon his office, make and subscribe an oath of office in Form I and oath of secrecy in Form II annexed to these rules.

13. The salary, remuneration and other allowances shall be defrayed out of the Consolidated Fund of the State Government and in the case of the Union Territories, from the Consolidated Fund of India.

14. The terms and conditions of the service of the President and the members of the District Commission and the State Commission shall not be varied to their disadvantage during their tenure of office.

Annexure

[See Rule 12]

FORM I

Form of Oath of Office for the President and Member of the State Commission and District Commission

I, A. B., having been appointed as the President/ Member in the State Consumer Disputes Redressal Commission, .../ District Consumer Disputes Redressal Commission, ...do solemnly affirm/do swear in the name of God that I will faithfully and conscientiously discharge my duties as the President/Member of the State Commission/District Commission to the best of my abiiity, knowledge and judgment, without fear or favour, affection or ill-will and that I will uphold the Constitution and the laws of land.

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FORM II

Form of Oath of Secrecy for the President and Member of the State Commission and District Commission

I, A. B., having been appointed as the President/Member of the State Consumer Disputes Redressal Commission, .../ District Consumer Disputes Redressal Commission, ... do solemnly affirm/do swear in the name of God that I will not directly or indirectly communicate or reveal to any person or persons any matter which shall be brought under my consideration or shall become known to me as President/Member of the State Commission/District Commission except as may be required for the due discharge of my duties as the President/Member.

M. GIRIJA SHANKAR,
E.O. Secretary to Government.

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